

REMARKS

Claims 1-3 are pending.

Initially, Applicant respectfully requests the Examiner to acknowledge Applicant's claim for foreign priority and receipt of the certified copy of the priority document.

In paragraph No. 3 of the Action, Claims 1-3 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shiina (U.S. Published Application No. 2002/0049294 A1).

Applicant submits that this rejection should be withdrawn because Shiina does not disclose or render obvious the heavy duty tire of the present invention.

A feature of the present invention lies in the improvement of the resistance to uneven wear by simultaneously compounding the tin-modified SBR (styrene-butadiene copolymer rubber) having a higher bound styrene content and silica.

As seen from the results of Comparative Examples 2 and 4, even if the tin-modified SBR and silica are simultaneously employed, when the bound styrene content is lower than the range claimed in the present invention, the resistance to uneven wear is not improved.

In contrast, Shiina discloses a tin-modified SBR similar to that of the present invention, but does not teach or suggest the bound styrene content of such SBR. Also, Shiina discloses in paragraph [0169] that silica is used as component (D), where desired. However, Shiina did not employ silica in his Examples and Comparative Examples. Therefore, the improvement of the resistance to uneven wear achieved only by a combination of tin-modified SBR having the specified bound styrene content and silica is not taught or suggested by Shiina.

As discussed above, the present invention is entirely different from Shiina in the constitution and effect, and can not easily be conceived therefrom.

In view of the above, reconsideration and withdrawal of the § 103(a) rejection based on Shiina are respectfully requested.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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